

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Greenspring Avenue, 250' E
of the c/l of Henneson Garth
(12402 Greenspring Avenue)
4th Election District
3rd Councilmanic District

Donald Elliott, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-334-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 12402 Greenspring Avenue, located in the vicinity of Chestnut Ridge in Owings Mills. The Petition was filed by the owners of the property, Donald and Cielito Elliott. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 22 feet and 31 feet in lieu of the required 50 feet for each for a proposed two-car garage addition, in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements

ORDER RECEIVED FOR FILING

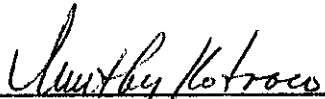
Date

By

MICROFILMED

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 4/27/95
By Pop

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 27, 1995

Mr. & Mrs. Donald Elliott
12402 Greenspring Avenue
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Greenspring Avenue, 250' E of the c/l of Henneson Garth
(12402 Greenspring Avenue)
4th Election District - 3rd Councilmanic District
Donald Elliott, et ux - Petitioners
Case No. 95-334-A

Dear Mr. & Mrs. Elliott:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: J. Lawrence Pilson, Dev. Coord. - DEPRM

People's Counsel

File

MICROFILMED





Petition for Administrative Variance

75-834-A

to the Zoning Commissioner of Baltimore County

for the property located at 12402 Greenspring Avenue
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

1 A04.3.13.3 to permit side setbacks of 22' and 31' in lieu of 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

Proposed additions to property lie within approximately 20 feet and 30 feet, respectively, of property lines. These proposed additions consist of a 2 car garage and a bi-level living room addition. Petition is for variance from 50 foot set-back, a restriction which would make the construction of the additions impossible.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s)

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 19 day of 19, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: MDL

DATE: 3/29/95

ESTIMATED POSTING DATE: 4/9/95



Printed with Soybean Ink
on Recycled Paper

ITEM #:

332

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12402 Greenspring Avenue
address
Owings Mills, Md. 21117
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Proposed additions to property lie within approximately 20 feet and 30 feet, respectively, of property lines. The proposed additions consist of a 2 car garage and a bi-level living room addition. Petition is for variance from 50 foot set-back, a restriction which would make construction of the additions impossible.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Donald Elliott
(signature)
Donald Elliott
(type or print name)



Cecilio Elliott
(signature)
Cecilio Elliott
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of March, 19 95, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Donald and Cecilio Elliott

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

3-10-95
date

Brooke J. German
NOTARY PUBLIC 11-1-96

My Commission Expires:

Brooke J. German
11-1-96

Beginning at the south side of Greenspring Avenue,
70 feet wide, at the distance of 250 feet east
of the centerline of Henneson Garth. (Deed
reference 10843/175). Also known as 12402
Greenspring Avenue containing 1.04 acres located
within the 4th Election District and 3rd
Councilmanic District.

332

1000 500

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-334-A

District 4th

Date of Posting 4/7/95

Posted for: Variance

Petitioner: Donald & Cielito Elliott

Location of property: 12402 Greenspring Ave, S/S

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by

[Signature]
Signature

Date of return:

4/14/95

Number of Signs: 1

11/11/95



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-334-A

Account: R-001-6150

Number

Taken In By: ZDK

Item Number: 332

Date 3/29/95

Elliot, Donald — 12402 Greenway Ave

010 - Res Var. (Admin) — \$ 50.00

080 - 1 sign posting — \$ 35.00

Total — \$ 85.00

PAID

03A03H0110MICHRC

\$85.00

BA C010124AM03-29-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

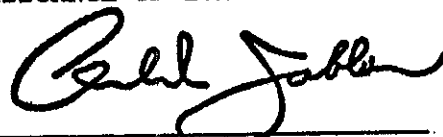
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.



ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 332

Petitioner: Donald Elliot

Location: 12402 Greenspring Ave.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Donald Elliot

ADDRESS: 12402 Greenspring Ave

Owings Mills, MD 21117

PHONE NUMBER: 363-0566

AJ:ggs

MICROFILMED

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 6, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-334-A (Item 332)
12402 Greenspring Avenue
S/S Greenspring Avenue, 250' E of c/l Henneson Garth
4th Election District - 3rd Councilmanic
Legal Owner: Donald Elliott and Cielito Elliott

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before April 9, 1995. The closing date (April 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Donald Elliott



00061153211

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 11, 1995

Mr. and Mrs. Donald Elliott
12402 Greenspring Avenue
Owings Mills, Maryland 21117

RE: Item No.: 332
Case No.: 95-334-A
Petitioner: Donald Elliott, et ux

Dear Mr. and Mrs. Elliott:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 29, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)





**Maryland Department of Transportation
State Highway Administration**

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 332 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 331, 332, 333, 334, 335, 336,
338 AND 339.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 12, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

A

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 331, 332, 333, 334, 335, and 336.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long


Division Chief:

Cam L. Kerho

PK/JL

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: April 17, 1995
Zoning Administration and Development Management

FROM:  Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 17, 1995
Items 329, 331, 332, 333, 334, 336, 337, 338
339 and 316 revised

The Developers Engineering Section has reviewed
the subject zoning item and we have no comments.

RWB:sw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director April 20, 1995
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #332 - Elliott Property
12402 Greenspring Avenue
Zoning Advisory Committee Meeting of April 10, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

The proposed addition will be less than 30' from well. The owner has been notified that a variance to the well regulations is required prior to Building Permit Approval.

✓
JLP:TE:sp

ELLIOTT/DEPRM/TXTSBP

RECEIVED
APR 24 1995

ZADM

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 29, 1995

TO: Hearing Officer

FROM: Mitchell J. Kellman
Planner II, ZADM

SUBJECT: Item #332
12402 Greenspring Avenue

The petitioner's site plans reference the 8th Election District for the subject property; however, the property description and folder list the 4th Election District. The 4th Election District is correct.


MJK:scj

MICROFILMED

To Whom It May Concern:

This is to attest to the fact that I have no objections to the construction by Mr. Elliott, my immediate neighbor to the northwest with whom I share a mutual boundary line, of a garage that would extend to within approximately twenty feet of that boundary line. I assume, of course, that the garage will be esthetically pleasing and in general conformity to the architectural styles of our houses and those of our neighborhood.

Signed


SACK SPRENGER

RECORDED

332

LOCATION INFORMATION

Councilmanic District: 3

Election District: 8

1"=200' scale map: NW-15-F

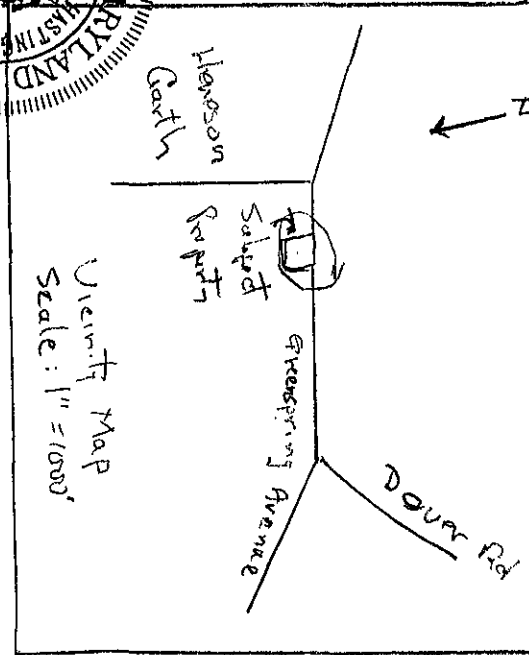
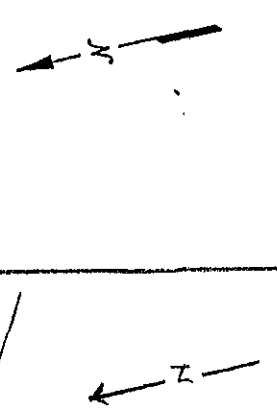
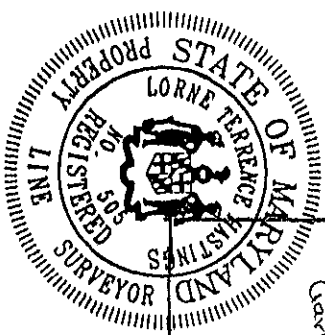
Zoning: RC-5

Lot Size: 1.04 acreage
45,302.4 square feet

Sewer ☒ Ab. ☒
water ☒ No ☒

Chesapeake Bay Critical Area ☒
Prior Zoning Hearings: None

ZONING OFFICE USE ONLY
reviewed by: item #: case #:
332



I certify to the best of my knowledge and belief the dwelling shown on this drawing on the property known as 12402 Greenspring Avenue Baltimore County, Maryland lies within the lot lines shown as compiled from title or other sources. Other improvements shown are for pictorial purposes only. This drawing is not a boundary survey and has been prepared exclusively for title purposes only.

Lorne J. Hastings 10/19/94

Ruston Design Corporation

8422 Bellona Lane

Towson, Maryland 21204

(410) 823-5000

Fax (410) 823-0115

Scale 1" = 50'

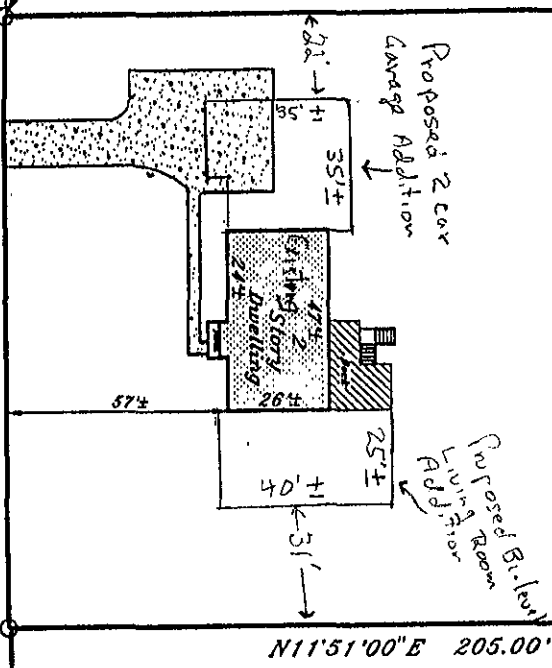
940-10474

GREENSPRING AVENUE

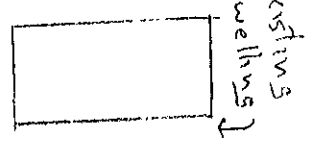
578'09"00" E 160.46'

511'51"00" W 285.00'

Area = 1.04 acres ±
45,302.4 sq. ft.



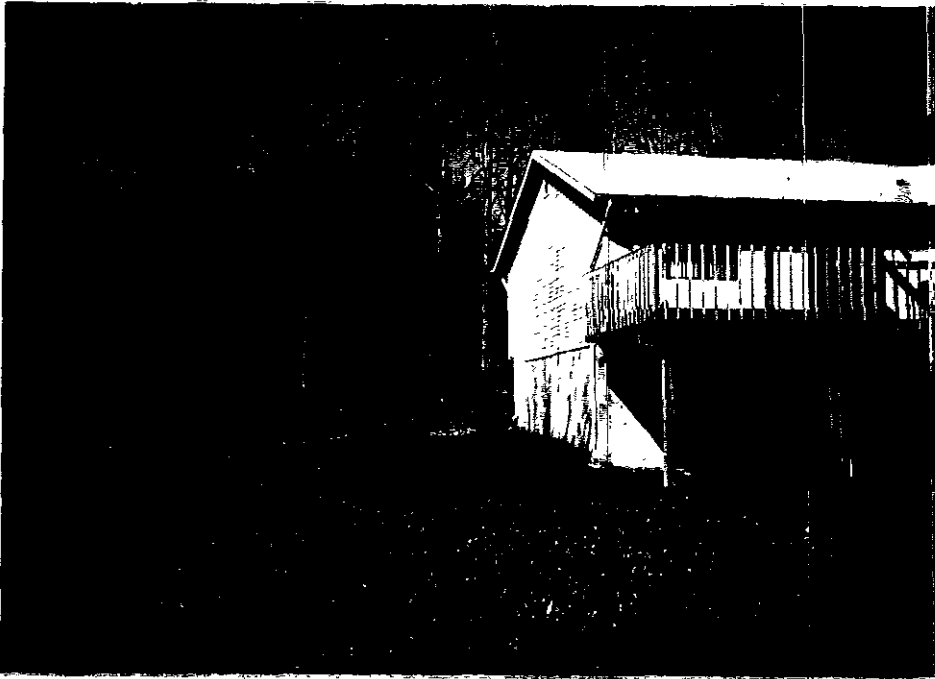
95-334-A



Henson Gath

Property lies in Flood Zone C

95-334-A



View of living
room site from
rear.



View of garage
site.



View of garage
site.

MICROFILMED

95-334-A



view of garage
site



view of garage
site



view of garage
site

11/10/11

95-334-A



View of garage
site



View of garage
site.



View of garage
site.

95-334-A



View A garage
site.



View A garage
site.



View A garage
site.

95-334-A



View of garage
site from rear



View of garage
site from rear



View of garage
site from rear.

MICROFILMED



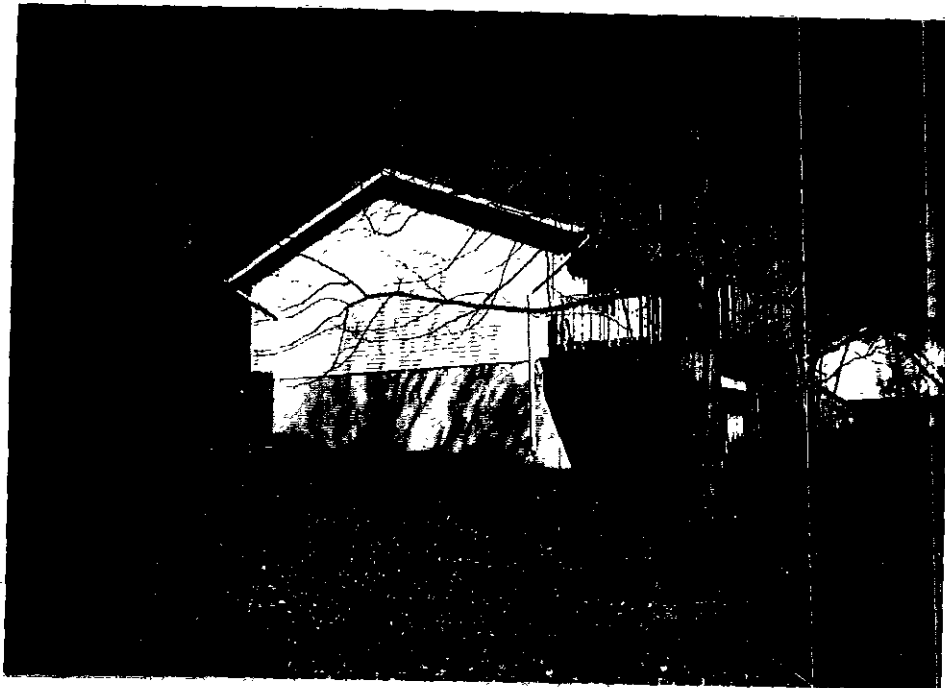
View of garage
site from rear



View of garage
site from side



View of living
room site from
side.



View of living
room site from
side.



View of living
room site
from side.



View of living
room site from
side.

95-334-A



View of living
room site from
front.



View of living
room site from
front.

500 ft
12.8 ft



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	CHESTNUT RIDGE # 334	N.W. 15-F
DATE OF PHOTOGRAPHY JANUARY 1986	MICROFILMED	

95-334-A

IN RE: PETITION FOR ADMIN. VARIANCE
S/S Greenspring Avenue, 250' E
of the c/l of Henneson Garth
(12402 Greenspring Avenue)
4th Election District
3rd Councilmanic District
Donald Elliott, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-334-A
*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 12402 Greenspring Avenue, located in the vicinity of Chestnut Ridge in Owings Mills. The Petition was filed by the owners of the property, Donald and Cielito Elliott. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 22 feet and 31 feet in lieu of the required 50 feet for each for a proposed two-car garage addition, in accordance with the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements

of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27th day of April, 1995 that the Petition for Administrative Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit side yard setbacks of 22 feet and 31 feet in lieu of the required 50 feet for each for a proposed two-car garage addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The addition (garage, barn, etc.) shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.
- 4) Compliance with the Zoning Plans Advisory Committee comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated April 20, 1995, a copy of which has been attached hereto and made a part hereof.

5) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

April 27, 1995

(410) 887-4386

Mr. & Mrs. Donald Elliott
12402 Greenspring Avenue
Owings Mills, Maryland 21117

RE: PETITION FOR ADMINISTRATIVE VARIANCE
S/S Greenspring Avenue, 250' E of the c/l of Henneson Garth
(12402 Greenspring Avenue)
4th Election District - 3rd Councilmanic District
Donald Elliott, et ux - Petitioners
Case No. 95-334-A

Dear Mr. & Mrs. Elliott:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,
Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: J. Lawrence Pilson, Dev. Coord. - DEPRM

People's Counsel

File

332

Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12402 Greenspring Avenue
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plot attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3 to permit side setbacks of 22' and 31' in lieu of 50'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Proposed addition to property lie within approximately 20 feet and 30 feet, respectively, of property lines. These proposed additions consist of a 2-car garage and a bi-level living room addition. Petition is for variance from 50 foot setback, a restriction which would make the construction of the addition impossible.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Leasee
(Type or Print Name)
Signature
Address
City State Zipcode
Attorney for Petitioner
(Type or Print Name)
Signature
Address
City State Zipcode
Phone No.
Name, Address and phone number of representative to be contacted

Legal Owner(s)
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Address
City State Zipcode
Phone No.

12402 Greenspring Avenue
Owings Mills, Md 21117
Donald Elliott
Greenspring School
Owings Mills, Md 21117

Zoning Commissioner of Baltimore County

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) where competent to testify in person in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12402 Greenspring Avenue
Owings Mills, Md 21117

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: proposed addition to property lie within approximately 20 feet and 30 feet, respectively, of property lines. The proposed additions consist of a 2-car garage and a bi-level living room addition. Petition is for variance from 50 foot setback, a restriction which would make construction of the additions impossible.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Donald Elliott
Signature
Cielito Elliott
Signature
(Type or Print Name)
(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of March, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Donald and Cielito Elliott

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

3-10-95

Brooke J. Gorman
NOTARY PUBLIC
11-1-96

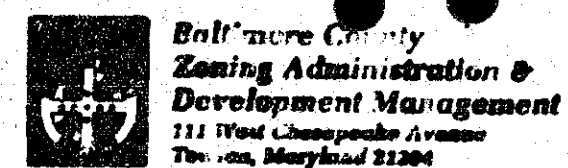
My Commission Expires:

Beginning at the south side of Greenspring Avenue, 70 feet wide, at the distance of 250 feet east of the centerline of Henneson Garth (Race Avenue 10843/175). Also known as 12402 Greenspring Avenue containing 1.04 acres located within the 4th Election District and 3rd Councilmanic District.

332

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 4th Date of Posting 4/7/95
Posted for: Variance
Petitioner: Donald & Cielito Elliott
Location of property: 12402 Greenspring Avenue, Owings Mills, Md
Location of Sign: Along road, on property being zoned
Remarks: None
Posted by: ATL Date of return: 4/14/95
Number of Signs: 1



Date 3/20/95

Elliott, Donald - 12402 Greenspring Ave
C10 - Riv. Var (Adm.) - \$ 50.00
C60 - 15g-posting - \$ 35.00
Total - \$ 85.00

0340320110WZCHNC
1A C810124W03-29-95 \$85.00
Please Make Checks Payable To Baltimore County

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 332
Petitioner: Donald Elliott
Location: 12402 Greenspring Ave
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Donald Elliott
ADDRESS: 12402 Greenspring Ave
Owings Mills, MD 21117
PHONE NUMBER: 360-0566

AJ:ggg

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 6, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-334-A (Item 332)
12402 Greenspring Avenue
S/S Greenspring Avenue, 250' E of c/l Homewood Garth
4th Election District - 3rd Councilmanic
Legal Owner: Donald Elliott and Cislito Elliott

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a referee regarding the administrative process.

1) Your property will be posted on or before April 9, 1995. The closing date (April 24, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Donald Elliott



Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 11, 1995

Mr. and Mrs. Donald Elliott
12402 Greenspring Avenue
Owings Mills, Maryland 21117

RE: Item No.: 332
Case No.: 95-334-A
Petitioner: Donald Elliott, et ux

Dear Mr. and Mrs. Elliott:

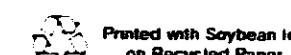
The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on March 29, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-7-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 332 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/11/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 10, 1995.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

RE: The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 331, 332, 333, 334, 335, 336, 338 AND 339.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: April 12, 1995

FROM: Pat Keller, Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 331, 332, 333, 334, 335, and 336.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long
Division Chief: Camp L. Kerbo

PK/JL

ITEMS 331/PHONE/SAC1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

DATE: April 17, 1995

FROM: Robert W. Bowling, P.E., Chief
Developers Engineering Section

RE: Zoning Advisory Committee Meeting
for April 17, 1995
Items 329, 331, 332, 333, 334, 336, 337, 338
339 and 316-revised

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:ew

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

April 20, 1995

FROM: J. Lawrence Pilson, DEP
Development Coordinator, DEPRM

SUBJECT: Zoning Item #332 - Elliott Property
12402 Greenspring Avenue
Zoning Advisory Committee Meeting of April 10, 1995

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

The proposed addition will be less than 30' from well. The owner has been notified that a variance to the well regulations is required prior to Building Permit Approval.

JLP:TE:sp

ELLIOTT/DEPRM/TXTS8P

RECEIVED
APR 24 1995

ZADM

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: March 29, 1995
TO: Hearing Officer
FROM: Mitchell J. Kellman
Planner II, ZADM
SUBJECT: Item #332
12402 Greenspring Avenue

The petitioner's site plans reference the 8th Election District for the subject property; however, the property description and folder list the 4th Election District. The 4th Election District is correct.

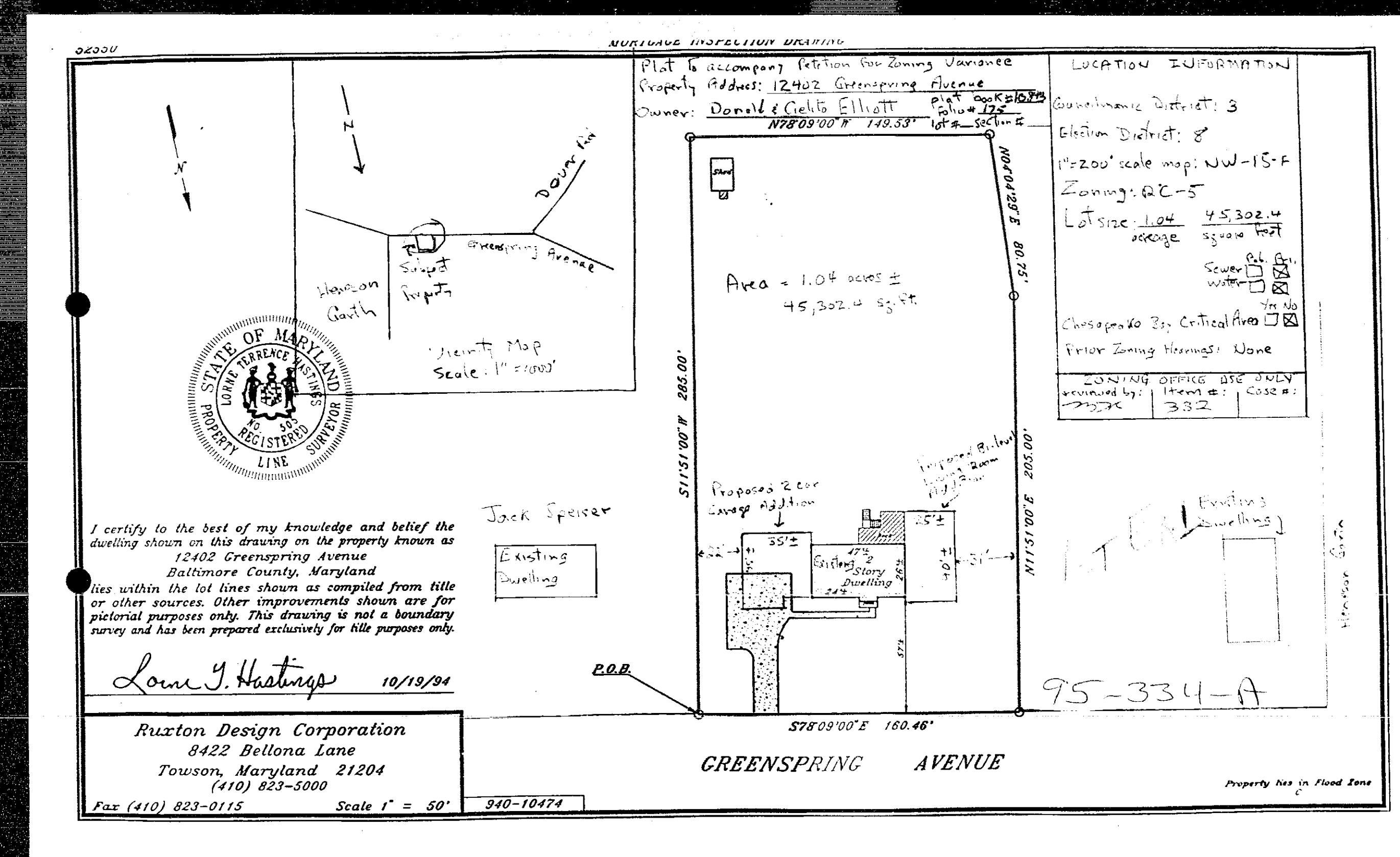
MJKscj

To Whom It May Concern:

This is to attest to the fact that I have no objections to the construction by Mr. Elliott, my immediate neighbor to the northwest with whom I share a mutual boundary line, of a garage that would extend to within approximately twenty feet of that boundary line. I assume, of course, that the garage will be esthetically pleasing and in general conformity to the architectural styles of our houses and those of our neighborhood.

Signed Jack Spitzer
-SACK SPITZER

332



View of living room site from rear.



View of garage site.



View of garage site.



View of garage site.



View of garage site.



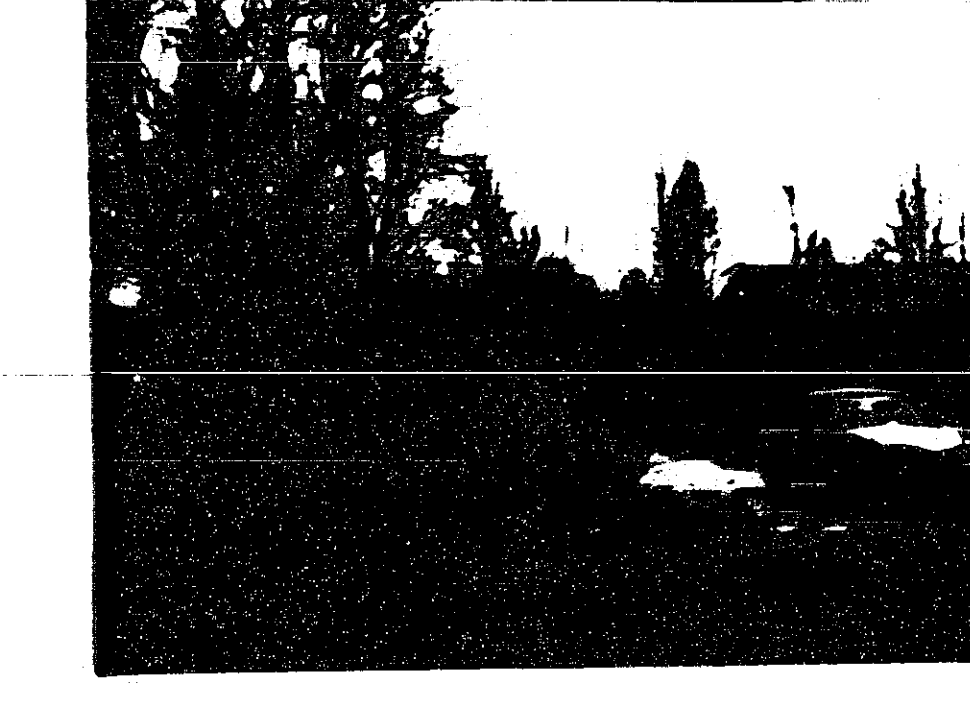
View of garage site.



View of garage site.



View of garage site.



View of garage site.



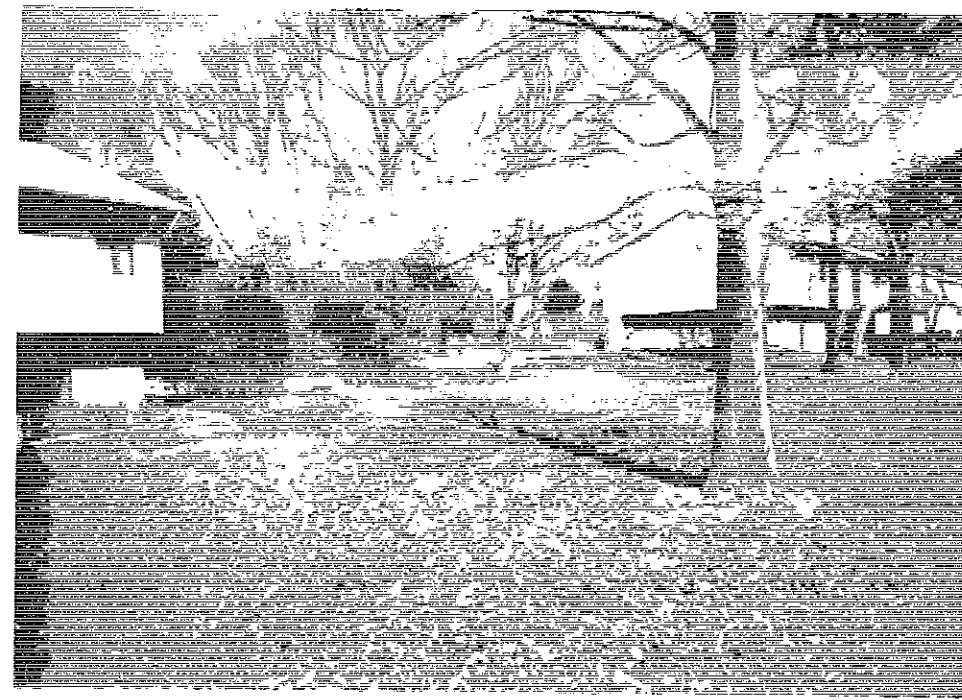
View of garage site.



View of garage site.



View of garage site.



100 3034-11
View of house
200 ft from house



100 3034-12
View of house
200 ft from house



100 3034-13
View of house
200 ft from house



100 3034-14
View of house
200 ft from house



100 3034-15
View of house
200 ft from house



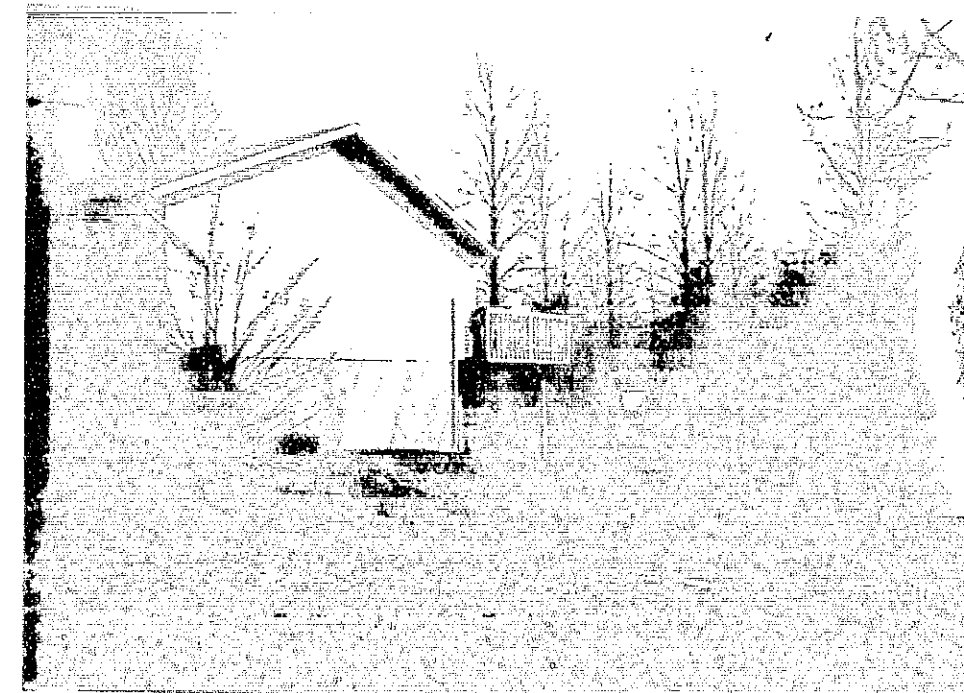
100 3034-16
View of house
200 ft from house



100 3034-17
View of house
200 ft from house



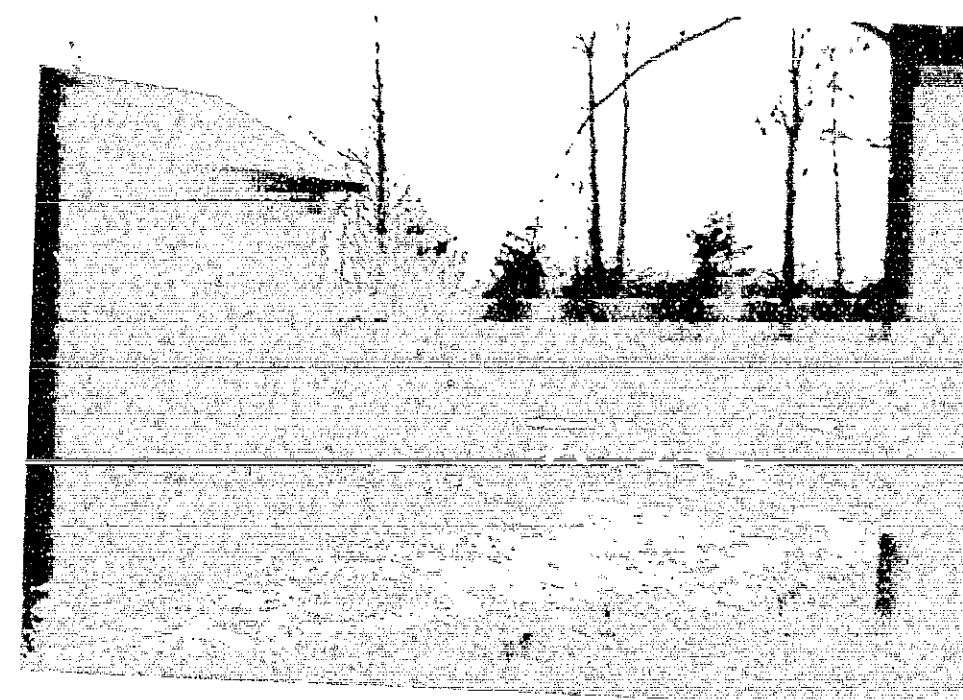
100 3034-18
View of house
200 ft from house



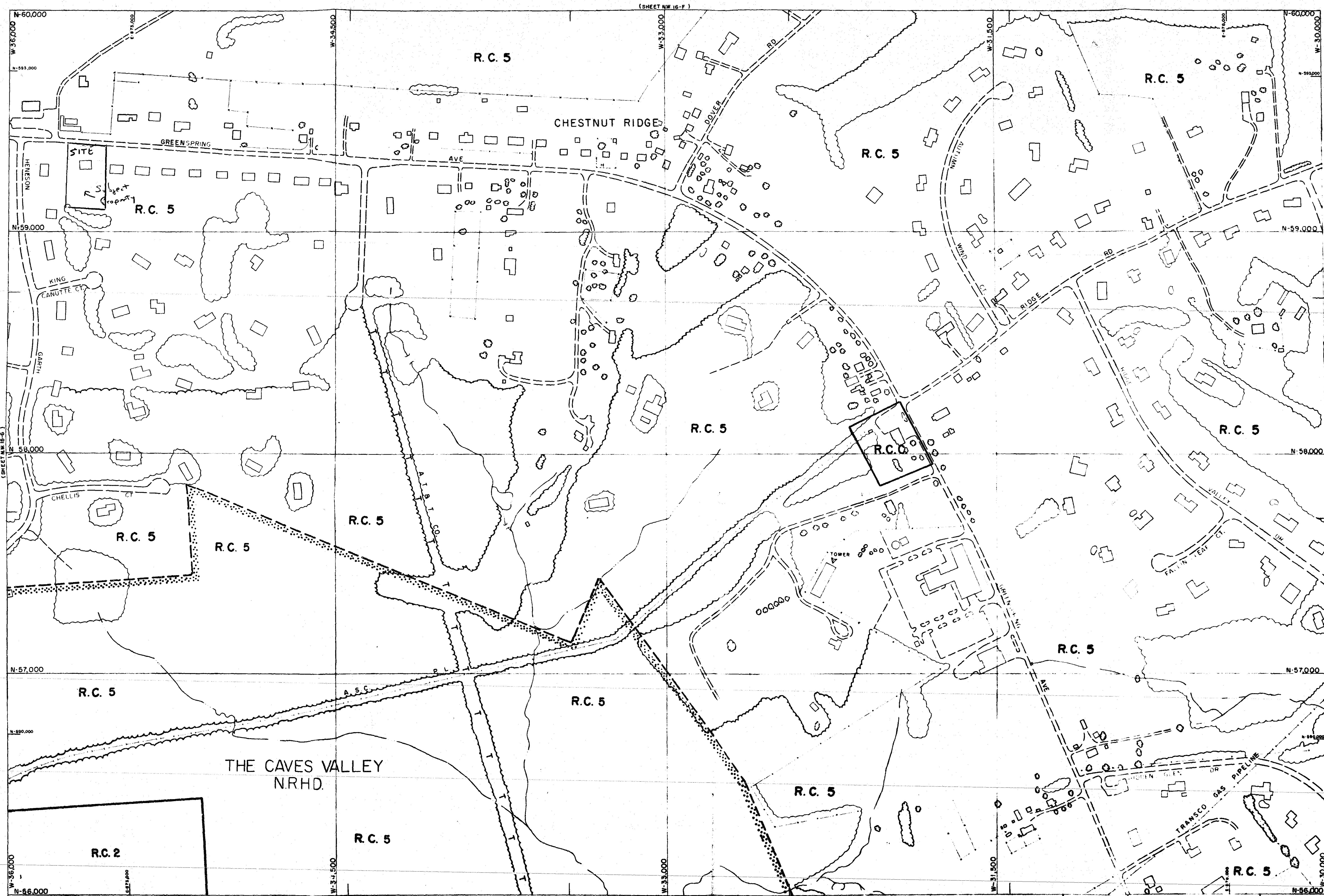
100 3034-19
View of house
200 ft from house



100 3034-20
View of house
200 ft from house



100 3034-21
View of house
200 ft from house



<p>T - NE W - SE</p> <p>THIS MAP HAS BEEN REVISED IN SELECTED AREAS. TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS BY BUCHART-HORN, INC. BALTIMORE, MD. 21210</p>	<p align="center">BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP</p>	<p>1992 COMPREHENSIVE ZONING MAP Adopted by the Baltimore County Council Oct. 15, 1992</p> <p><i>William A. Howard IV</i> Chairman, County Council</p>	<p>SCALE 1" = 200'</p> <p>DATE OF PHOTOGRAPHY JANUARY 1986</p>	<p>LOCATION CHESTNUT RIDGE</p>	<p>SHEET N. W. 15-F</p>
--	---	---	--	---	--

332

95-334-A

Subject
Property

site



95-334-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	# 332	
DATE OF PHOTOGRAPHY	CHESTNUT RIDGE	N.W. 15-F
JANUARY 1986		

Microfilm